

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

**STANDARD ORDER OF PARAGRAPHS AND INSTRUCTIONS FOR FINAL
DECREE ON PETITION FOR DIVORCE OR LEGAL SEPARATION**

Instructions: The paragraph numbers and captions as set forth below shall be used in all final divorce or legal separation decrees. You must file an agreed upon or proposed final decree prior to your final hearing, and may use the format below or complete the court's Final Decree on Divorce or Legal Separation form. If a particular paragraph is not needed, it must appear, but may be marked "Not Applicable" or "The parties own no real estate," etc. Consecutive paragraphs may be combined for these purposes, for example, "Paragraphs 12—15: The parties have no business interests, debt or real estate."

1. **Type of Case.** Select whether case is a Divorce or Legal Separation.
2. **Parenting Plan and Uniform Support Order.** A Parenting Plan and Uniform Support Order must be completed and submitted if there are minor children. (Forms are available at the court.)
3. **Tax Exemptions for Children.** State who will be claiming any child(ren) for tax purposes.
4. **Guardian *ad Litem* Fees.** Reference any applicable GAL order.
5. **Alimony.** State if any alimony is to be paid and for how long.
6. **Health Insurance For Spouse.** If each person is going to be responsible for their own health expenses, this must be stated. Include medical, dental, and uninsured medical expenses and how they will be handled.
7. **Life Insurance.** State what is going to happen to the life insurance policies owned by the parties and whether the parties shall maintain life insurance for the benefit of the child(ren).
8. **Motor Vehicles.** State who will be awarded any motor vehicles owned by the parties.
9. **Furniture and Other Personal Property.** State if furniture and other personal property have already been divided or specify what items will be awarded to each person.
10. **Retirement Plans and Other Tax-Deferred Assets.** List all pensions, retirement plans, and tax-deferred property and state how they will be divided.
11. **Other Financial Assets.** Include all bank accounts, stocks, etc. and how they will be divided.
12. **Business Interests of the Parties.** List any business owned and specify who is awarded that business. See additional instructions below.
13. **Division of Debt.** All bills that are owed must be listed, indicating who will be responsible to pay.
14. **Marital Home.** State how and when the marital home will be dealt with, including payment of the mortgage, refinance, or sale. See additional instructions below.
15. **Other Real Property.** State how all other real property owned by the parties will be divided.
16. **Enforceability after Death.** State if any charges will be made against the person's estate.

Standard Order of Paragraphs and Instructions for Final Decree on Petition for Divorce or Legal Separation

17. **Signing Of Documents.** If any documents need to be completed, state how they will be taken care of, and in what time frame.
18. **Restraining Order.** State if any restraining orders are needed.
19. **Name Change (Divorce Only).** State whether either spouse wishes to resume a former name.
20. **Other Requests.** Check off (on court form) or list any other requests you wish to be part of the final order.

Additional instructions:

Business interests: If either party owns or has any interest in a sole proprietorship, partnership, corporation or any other business entity, this will need to be carefully addressed. It is recommended that you seek advice from an attorney as to how this should be handled.

Real Estate: If you own a home, it is suggested that you seek legal advice from an attorney.

If both parties own real estate together (both hold title) and will continue to own real estate together AFTER the divorce, you must specify how the property is going to be held after the divorce:

1. Joint Tenants: Owning property as joint tenants means, among other things, that if one of you dies, the other becomes the sole owner of the property.
Suggested language: "We will continue to own the property, until it is sold, as joint tenants with rights of survivorship."
2. Tenants in Common: Owning property as tenants in common means, among other things, that if one of you dies, that person's legal heirs (or those named in their will) will become partial owners of the property, together with the other original owner.
Suggested language: "We will own the property, until it is sold, as tenants in common."

In both instances you must state who will be responsible for payment of the mortgage, taxes, insurance and maintenance of the home.

IT IS YOUR RESPONSIBILITY TO CHANGE YOUR DEED ACCORDINGLY.